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9 Attorneys for Plaintiff, Joseph E. Koller

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
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13 **IN RE: BEXTRA AND CELEBREX**
14 **MARKETING SALES PRACTICES AND**
15 **PRODUCT LIABILITY LITIGATION**

) **CASE NO. C C06-4119 (CRB)**

) **MDL NO. 1699**

) **District Judge: Charles R. Breyer**

16 **RICK FORESPRING; et al.,**

17 **Plaintiffs,**

18 **vs.**

) **STIPULATION AND ORDER OF**
) **DISMISSAL WITH PREJUDICE**

19 **G.D. SEARLE & CO.;**
20 **PHARMACIA CORPORATION;**
21 **MONSANTO COMPANY; and**
22 **PFIZER, INC.,**

23 **Defendants.**

24
25 Come now the Plaintiff, **JOSEPH E. KOLLER** and Defendants, by and through the
26 undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby
27 stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys'
28 fees and costs.

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STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

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3 DATED: September 1, 2009

ROBINSON, CALCAGNIE & ROBINSON

4 By: Mark P. Robinson, Jr.
5 MARK P. ROBINSON, JR.
6 Attorneys for Plaintiff Joseph E. Koller


7 DATED: Oct. 22, 2009

DLA PIPER LLP (US)

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9 By: /s/
10 Matt Holian
11 Attorneys for Defendants

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13 PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
14 IT IS SO ORDERED.

15 Dated: OCT 28 2009

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17 Hon. Charles R. Breyer
18 United States District Court
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